

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE PETITION BY LEOLA )  
DATA CENTER LLC TO HAVE MONTANA- )  
DAKOTA UTILITIES CO., A SUBSIDIARY OF )  
MDU RESOURCES GROUP INC., ASSIGNED )  
AS ITS ELECTRIC PROVIDER IN THE )  
SERVICE AREA OF FEM ELECTRIC )  
ASSOCIATION INC. )**

**ORDER GRANTING  
INTERVENTION**

**EL24-027**

On August 5, 2024, the South Dakota Public Utilities Commission (Commission) received a Petition from Leola Data Center, LLC (Data Center) to have Montana-Dakota Utilities Co., a Subsidiary of MDU Resources Group Inc. (Montana-Dakota), Assigned as its Electric Provider in the Service Area of FEM Electric Association Inc. (Petition). The Petition asks the Commission for an order pursuant to SDCL 49-34A-56 that allows Data Center to take electric service from Montana-Dakota, for its proposed Location adjacent to, Montana-Dakota's Leola substation at 11641 358th Avenue, Leola, South Dakota. The Location is currently within the assigned service area of FEM Electric Association Inc. (FEM). Under SDCL 49-34A-56, new customers at new locations that develop after March 21, 1975, and who require electric service with a contracted minimum demand of two thousand kilowatts or more are not obligated to take electric service from the electric utility having the assigned service area where the customer is located if the Commission so determines after consideration of certain factors set forth in statute.

On August 8, 2024, the Commission electronically transmitted notice of the filing and the intervention deadline of August 23, 2024, to interested individuals and entities on the Commission's PUC Weekly Filing electronic listserv. On August 19, 2024, Montana-Dakota filed a Petition to Intervene. On August 21, 2024, FEM Electric Association, Inc. filed a Petition to Intervene. On August 23, 2024, East River Electric Power Cooperative Inc. and Basin Electric Power Cooperative each filed a Petition to Intervene.

The Commission has jurisdiction in this matter pursuant to SDCL Chapter 1-26 and SDCL 49-34A-56 and ARSD 20:10:01:15.02 through 20:10:01:15.05.

At its regularly scheduled meeting on August 27, 2024, the Commission considered the Petitions to Intervene. Neither Leola Data Center LLC nor Commission staff objected to the interventions. The Commission found that the Petitions to Intervene demonstrated good cause to grant intervention and voted unanimously to grant Montana-Dakota; FEM Electric Association, Inc.; East River Electric Power Cooperative, Inc.; and Basin Electric Power Cooperative's Petitions to Intervene. It is therefore

**ORDERED**, that Montana-Dakota; FEM Electric Association, Inc.; East River Electric Power Cooperative, Inc.; and Basin Electric Power Cooperative's Petitions to Intervene are hereby granted.

Dated at Pierre, South Dakota, this 29th day of August 2024.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically or by mail.

By: [Signature]

Date: 29 Aug 2024

BY ORDER OF THE COMMISSION:

[Signature: Kristie Fiegen]  
KRISTIE FIEGEN, Chairperson

[Signature: Gary Hanson]  
GARY HANSON, Commissioner

[Signature: Chi Nelson]  
CHRIS NELSON, Commissioner